**UNITED STATES COURT OF INTERNATIONAL TRADE** **FORM 1**

THIS INDEX NUMBER MUST BE SHOWN ON ALL PAPERS FILED WITH THE COURT

08-00433

**TOYOBO KUREHA AMERICA CO., LTD.**
**(f/k/a TOYOBO STEARNS CO., LTD.),**
**Plaintiff,**

**v.**

**UNITED STATES,**
**Defendant.**

**SUMMONS**

**TO: The Attorney General and the Secretary of the Treasury:**

**PLEASE TAKE NOTICE that a civil action has been commenced pursuant to 28 U.S.C. § 1581(a) to contest denial of the protest specified below (and the protests listed in the attached schedule).**

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**Clerk of the Court**

**PROTEST**

| | | | |
|---|---|---|---|
| **Port of Entry:** | **Chicago** | **Date Protest Filed:** | **04/21/2008** |
| **Protest Number:** | **3901-08-100632** | **Date Protest Denied:** | **07/01/2008** |
| **Importer:** | Toyobo Kureha America Co., Ltd. (f/k/a Toyobo Stearns Co., Ltd.) | | |
| **Category of Merchandise:** | Air Filtering Material | | |

**ENTRIES INVOLVED IN ABOVE PROTEST**

| Entry Number | Date of Entry | Date of Liquidation | Entry Number | Date of Entry | Date of Liquidation |
|---|---|---|---|---|---|
| D52-3821530-2 | 04/17/2007 | 02/29/2008 | | | |
| | | | | | |
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Port Director
Customs & Border Protection
9915 Bryn Mawr
Rosemont, IL 60018

**Address of Customs District in Which Protest Was Denied**

Steven H. Becker
Baker & McKenzie LLP
1114 Avenue of the Americas
New York, New York 10036

**Name, Address and Telephone Number of Plaintiff's Attorney**

## CONTESTED ADMINISTRATIVE DECISION

| Appraised Value of Merchandise | | |
|---|---|---|
| | **Statutory Basis** | **Statement of Value** |
| **Appraised:** | | |
| **Protest Claim:** | | |

| Classification, Rate or Amount | | | | |
|---|---|---|---|---|
| | **Assessed** | | **Protest Claim** | |
| **Merchandise** | **Paragraph or Item Number** | **Rate** | **Paragraph or Item Number** | **Rate** |
| Air Filtering Material | 5911.40.00 | 8% | 5603.14.90<br>or<br>5603.94.90<br>or<br>5911.90.80 | Free<br><br>Free<br><br>3.8% |

**Other**

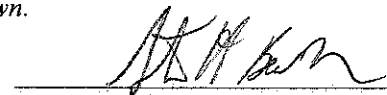
**State specifically the Decision [as Described in 19 U.S.C. § 1504(a)] and the Protest Claim:**

Misclassification by Customs.

**The issue which was common to all such denied protests:**

Classification of imported air filtering material.

*Every denied protest included in this civil action was filed by the same above-named importer, or by an authorized person in his behalf. The category of merchandise specified above was involved in each entry of merchandise included in every such denied protest. The issue or issues stated above were common to all such denied protests. All such protests were filed and denied as prescribed by law. All liquidated duties, charges or exactions have been paid, and were paid at the port of entry unless otherwise shown.*



*Signature of Plaintiff's Attorney*

Dec. 19, 2008

*Date*

## Entries Involved in Other Protests Covered by Summons

**Chicago**
**Port of Entry**

| Protest Number | Date Protest Filed | Date Protest Denied | Entry Number | Date of Entry | Date of Liquidation |
|---|---|---|---|---|---|
| 3901-08-101426 | 09/24/2008 | 11/12/2008 | D52-3827957-9 | 10/16/2007 | 07/25/2008 |
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Port Director
Customs and Border Protection
9915 Bryn Mawr
Rosemont, IL 60018I

If the port of entry shown above is different from the port of entry shown on the first page of the summons, the address of the District Director for such different port of entry must be given in the space provided.

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U.S. COURT OF
INTERNATIONAL TRADE